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EXAMINER
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ART UNIT	PAPER NUMBER
3625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/713,097	UEMURA ET AL.
	Examiner	**Art Unit**	
	Nicholas D. Rosen	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 February 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16,20 and 21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16,20 and 21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

Claims 1-16, 20, and 21 have been examined

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claims 1, 2, and 6

Claims 1 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Krichilsky et al. (U.S. Patent Application Publication 2002/0152200) in view of Lyons et

al. (U.S. Patent Application Publication 2002/0077937). As per claim 1, Krichilsky

discloses a method for providing an electronic shop using a network, the method

comprising: a step of transmitting information in order to solicit a purchase will of a user

via a network (paragraphs 37, 38, 51, 52, 57, and 58); a step of receiving purchase

information indicative of a purchase will of the user via the network (paragraphs 69 and 71; Figure 10); and a step of transmitting information about an out-of-stock status of the commodity to the terminal of the user having transmitted purchase information via the network in response to received purchase information when the quantity of stock of the commodity is below a given quantity (paragraphs 72 and 78). Krichilsky does not expressly disclose a step of calculating a quantity of stock of the commodity in response to received purchase information by way of a computer, but Lyons teaches this (paragraph 4). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to calculate a quantity of stock of the commodity in response to received purchase information by way of a computer, for the stated advantage of enabling a web site or other sales channel to be updated.

As per claim 6, Krichilsky discloses that the electronic shop can be run on a website (paragraph 39).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krichilsky and Lyons as applied to claim 1 above, and further in view of Aichlmayr ("From Data to Delivery: Finding Fulfillment in E-Business"). Krichilsky mentions the use of electronic shopping carts (paragraph 4), but does not expressly disclose that purchase information indicative of the purchase is transmitted from the terminal of the user when the commodity is placed into an electronic shopping cart. However, Aichlmayr teaches that, "When a customer puts an item in a shopping cart, the retailer's site contacts the PFSWeb system and indicates whether or not the product is in stock." (Paragraph beginning, "When a customer puts an item"). Hence, it would have been obvious to one

of ordinary skill in the art of electronic commerce at the time of applicant's invention to

have purchase information indicative of the purchase be transmitted from the terminal of

the user when the commodity was placed into an electronic shopping cart, for the stated

advantage of determining whether the item to be purchased was in stock.

Claims 3 and 5

Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Krichilsky et al. (U.S. Patent Application Publication 2002/0152200) in view of Lyons et

al. (U.S. Patent Application Publication 2002/0077937), Butler et al. ("Gupta SQLBase

Server for NetWare"), and official notice. As per claim 3, Krichilsky discloses a method

for providing an electronic shop using a network, the method comprising: a step of

transmitting information in order to solicit a purchase will of a user via a network

(paragraphs 37, 38, 51, 52, 57, and 58); and a step of receiving purchase information

indicative of a purchase will of the user via the network (paragraphs 69 and 71; Figure

10). Krichilsky does not expressly disclose a step of calculating a quantity of stock of

the commodity in response to received purchase information by way of a computer, but

Lyons teaches this (paragraph 4). Hence, it would have been obvious to one of

ordinary skill in the art of electronic commerce at the time of applicant's invention to

calculate a quantity of stock of the commodity in response to received purchase

information by way of a computer, for the stated advantage of enabling a web site or

other sales channel to be updated.

Krichilsky does not expressly disclose detecting whether or not the quantity of

stock of the commodity becomes below a first given quantity by a computer, nor does

Krichilsky disclose transmitting information indicating that the quantity of stock of the

commodity becomes below the given quantity to the terminal of the manager of

merchandise via the network when it is detected that the quantity of stock of the

commodity becomes below the first given quantity for the first time since a given time,

but Butler teaches automatically notifying a manager when stock is too low (paragraph

beginning "Remote Procedure Calls (RPCs) can be made from SQL server"), which can

be taken as notifying a manager when the quantity of stock of the commodity becomes

below the first given quantity for the first time since a given time, since if notification

were sent *whenever* the stock of the commodity were too low, troublesome

consequences would ensue, such as continuously e-mailing the manager. Hence, it

would have been obvious to one of ordinary skill in the art of electronic commerce at the

time of applicant's invention to detect whether or not the quantity of stock of the

commodity became below a first given quantity by a computer, and transmit information

indicating that the quantity of stock of the commodity became below the given quantity

to the terminal of the manager of merchandise via the network when it was detected

that the quantity of stock of the commodity became below the first given quantity for the

first time since a given time, for the obvious advantage of causing managers to maintain

stocks of commodities at adequate levels.

Neither Krichilsky nor Butler teaches transmitting the information only when it is

detected that the quantity of stock becomes below the first given quantity for the first

time since a given time, but official notice is taken that it is well known to transmit

information, sound an alarm, or something similar only when a condition is detected for

the first time since a given time, or a reset. Hence, it would have been obvious to one

of ordinary skill in the art of electronic commerce at the time of applicant's invention to

transmit the information only when it is detected that the quantity of stock becomes

below the first given quantity for the first time since a given time, for the obvious

advantage of avoiding redundant or distracting warnings.

As per claim 5, Butler teaches that transmission to the terminal of the manager is

executed by electronic mail (paragraph beginning "Remote Procedure Calls (RPCs) can

be made from SQL server"). Hence, it would have been obvious to one of ordinary skill

in the art of electronic commerce at the time of applicant's invention for transmission to

the terminal of the manager to be executed by electronic mail, for the obvious

advantage of conveniently providing information to the manager wherever the manager

might be.

Claims 3, 4, and 5 (second rejection)

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krichilsky

et al. (U.S. Patent Application Publication 2002/0152200) in view of Lyons et al. (U.S.

Patent Application Publication 2002/0077937), Nowers et al. (U.S. Patent Application

Publication 2003/0033205), and official notice. Krichilsky discloses a method for

providing an electronic shop using a network, the method comprising: a step of

transmitting information in order to solicit a purchase will of a user via a network

(paragraphs 37, 38, 51, 52, 57, and 58); and a step of receiving purchase information

indicative of a purchase will of the user via the network (paragraphs 69 and 71; Figure

10). Krichilsky does not expressly disclose a step of calculating a quantity of stock of

the commodity in response to received purchase information by way of a computer, but

Lyons teaches this (paragraph 4). Hence, it would have been obvious to one of

ordinary skill in the art of electronic commerce at the time of applicant's invention to

calculate a quantity of stock of the commodity in response to received purchase

information by way of a computer, for the stated advantage of enabling a web site or

other sales channel to be updated.

Krichilsky does not expressly disclose detecting whether or not the quantity of

stock of the commodity becomes below a first given quantity by a computer, nor does

Krichilsky disclose transmitting information indicating that the quantity of stock of the

commodity becomes below the given quantity to the terminal of the manager of

merchandise via the network when it is detected that the quantity of stock of the

commodity becomes below the first given quantity for the first time since a given time,

but Nowers teaches automatically notifying a manager when stock is too low, at agreed

upon times (paragraph 92), which can be taken as notifying a manager when the

quantity of stock of the commodity becomes below the first given quantity for the first

time since a given time, since if notification were sent *whenever* the stock of the

commodity were too low, troublesome consequences would ensue, such as

continuously e-mailing the manager; furthermore, "at agreed upon times" suggests

notifying a manager when the quantity of the stock falls below a minimum level for the

first time since a given time, since if the agreed upon time were, for example 8:00 AM,

and notification were sent each morning at 8:00 AM, it would presumably be to say that

the level of the stock had fallen below the minimum since the previous day's

notifications. Hence, it would have been obvious to one of ordinary skill in the art of

electronic commerce at the time of applicant's invention to detect whether or not the quantity of stock of the commodity became below a first given quantity by a computer, and transmit information indicating that the quantity of stock of the commodity became below the given quantity to the terminal of the manager of merchandise via the network when it was detected that the quantity of stock of the commodity became below the first given quantity for the first time since a given time, for the stated advantage of causing more of the commodity to be supplied.

Neither Krichilsky, Lyons, nor Nowers teaches transmitting the information only when it is detected that the quantity of stock becomes below the first given quantity for the first time since a given time, but official notice is taken that it is well known to transmit information, sound an alarm, or something similar only when a condition is detected for the first time since a given time, or a reset. Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to transmit the information only when it is detected that the quantity of stock becomes below the first given quantity for the first time since a given time, for the obvious advantage of avoiding redundant or distracting warnings.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krichilsky et al. (U.S. Patent Application Publication 2002/0152200), Lyons et al. (U.S. Patent Application Publication 2002/0077937), Nowers et al. (U.S. Patent Application Publication 2003/0033205), and official notice as applied to claim 3 above, and further in view of Butler et al. ("Gupta SQLBase Server for NetWare"). As per claim 4, Krichilsky does not expressly disclose that a computer detects whether or not the

quantity of stock of the commodity becomes below a smaller second quantity than the

first given quantity and every time the computer detects that the quantity of stock

becomes below the second given quantity, information that the quantity of stock

becomes below the second given quantity is transmitted to the terminal of the manager

of the merchandise, but Butler discloses automatically notifying a manager when an

inventory becomes too low (paragraph beginning "Remote Procedure Calls (RPCs) can

be made from SQL server"). Hence, it would have been obvious to one of ordinary skill

in the art of electronic commerce at the time of applicant's invention to have information

that the quantity of stock became below the second given quantity be transmitted to the

terminal of the manager of the merchandise, for the obvious advantage of quickly

notifying the manager when the quantity of the stock had fallen to an excessively low

level.

As per claim 5, Butler teaches that transmission to the terminal of the manager is

executed by electronic mail (paragraph beginning "Remote Procedure Calls (RPCs) can

be made from SQL server"). Hence, it would have been obvious to one of ordinary skill

in the art of electronic commerce at the time of applicant's invention for transmission to

the terminal of the manager to be executed by electronic mail, for the obvious

advantage of conveniently providing information to the manager wherever the manager

might be.

Claims 7-12

Claim 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Charlish ("Technology (Worth Watching): Point Made for Smaller Shops") in view of

Matsumoto (Japanese Published Patent Application 2000-305617). As per claim 7,

Charlish discloses computers by which managers can obtain reports about stock levels,

implying receiving information demanding transmission of stock management

information, and transmitting the requested stock management information (paragraph

beginning "Smaller retail outlets"). Matsumoto teaches a computer calculating a

quantity of stock of a commodity based upon received data concerning the fluctuation of

the quantity of the stock (English language Abstract), which implies receiving

information about the quantity of the stock. Hence, it would have been obvious to one

of ordinary skill in the art of electronic commerce at the time of applicant's invention to

receive this information and calculate a quantity of stock, for the obvious advantage of

informing managers of the quantity of stock on hand, and enabling them to take

appropriate actions.

As per claim 8, Matsumoto teaches that a quantity of stock is calculated by

adding the received fluctuation of the quantity of stock to a quantity of stock preceding

the received fluctuation (English language Abstract). Hence, it would have been

obvious to one of ordinary skill in the art of electronic commerce at the time of

applicant's invention to have a quantity of stock calculated by adding the received

fluctuation of the quantity of stock to a quantity of stock preceding the received

fluctuation, for the obvious advantage of determining a quantity of stock without having

to count from scratch each time.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Charlish

and Matsumoto as applied to claim 7 above, and further in view of Nowers et al. (U.S.

Patent Application Publication 2003/0033205); claim 10 is rejected under 35

U.S.C. 103(a) as being unpatentable over Charlish, Matsumoto and Nowers as applied

to claim 9, and further in view of Butler ("Gupta SQLBase Server for NetWare"). Claims

9 and 10 are closely parallel to one element of claim 3, and claim 4, respectively, and

rejected using Nowers and Butler for essentially the reasons set forth above with regard

to claims 3-5 (second set of rejection under 35 U.S.C. 103).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Charlish,

Matsumoto, Nowers and Butler as applied to claim 10 above, and further in view

Krichilsky et al. (U.S. Patent Application Publication 2001/0152200). Charlish does not

disclose that when the quantity of stock is below the second given quantity, information

indicative of an out-of-stock of the commodity is transmitted to a terminal of a user in

response to information about a purchase will of the commodity sent from the terminal

of the user, but Krichilsky teaches this when a commodity is out of stock (paragraphs 72

and 76-79). Hence, it would have been obvious to one to one of ordinary skill in the art

of electronic commerce at the time of applicant's invention to have information indicative

of an out-of-stock of the commodity be transmitted to a terminal of a user in response to

information about a purchase will of the commodity sent from the terminal of the user,

for the obvious advantages of avoiding the embarrassments consequent upon selling

what one does not have, and to profit from the sale of alternative commodities, or the

sale of the desired commodity at a later time, as taught by Krichilsky.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Charlish

and Matsumoto as applied to claim 7 above, and further in view of Aichlmayr ("From

Data to Delivery: Finding Fulfillment in E-Business"). Charlish does not disclose

checking whether or not the quantity of stock has reached zero, and (1) transmitting

information about the commodity to a terminal of a user (customer) when the quantity of

stock is not zero, and halting transmission of information when the quantity of stock has

reached zero, but Aichlmayr teaches this (whole article for (1), and especially the

paragraph beginning, "For Returns, end customers contact Gear.com customer service"

for (2)). Hence, it would have been obvious to one of ordinary skill in the art of

electronic commerce at the time of applicant's invention to carry out the recited

procedure, for the stated advantage of avoiding processing an order one cannot fill

(while profiting from the sale of products available to be sold).

Clams 13-16

Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Krichilsky et al. (U.S. Patent Application Publication 2002/0152200). As per claim

13, Krichilsky discloses a method for providing an electronic shop using a network,

comprising: a step of storing merchandise information about a plurality of commodities

and various kinds of measures to be executed by a computer when a quantity of stock

of a commodity becomes below a given quantity onto a memory (paragraphs 40 and 41

for memory; paragraphs 72-79 for various measures to be executed); and a step to

execute a measure applied to the commodity by the computer when the quantity of

stock of the quantity becomes below the given quantity (paragraphs 72 and 76-79).

Determining whether a commodity is unavailable necessarily implies detecting a

quantity of stock of that commodity, and apparently implies "a step to store a measure

set for each of the commodities onto the memory with linkage of the measure to the commodity."

As per claim 15, Krichilsky discloses presenting information indicative of an out-of-stock status together with merchandise information (paragraphs 72 and 76-79).

Claims 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krichilsky et al. (U.S. Patent Application Publication 2002/0152200) as applied to claim 13 above, and further in view of Aichlmayr ("From Data to Delivery: Finding Fulfillment in E-Business"). As per claim 14, Krichilsky does not disclose that the measure is to halt providing merchandise information, but Aichlmayr teaches this (paragraph beginning, "For returns, end customers contact Gear.com customer service"). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention for the measure to be to halt providing merchandise information, for the stated advantage of avoiding processing an order one cannot fill.

As per claim 16, Krichilsky does not disclose that the measure is to exclude the commodity from a target of a merchandise search, but Aichlmayr teaches making out-of-stock products invisible to end users, which necessarily implies excluding them from the target of a merchandise search (paragraph beginning, "For returns, end customers contact Gear.com customer service"). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention for the measure to be to exclude the commodity from a target of a merchandise search, for the stated advantage of avoiding processing an order one cannot fill.

Claims 20-21

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Krichilsky et al. (U.S. Patent Application Publication 2002/0152200) in view of Lyons et

al. (U.S. Patent Application Publication 2002/0077937). Krichilsky discloses a method

for providing an electronic shop using a network, the method comprising: a step of

transmitting information in order to solicit a purchase will of a user via a network

(paragraphs 37, 38, 51, 52, 57, and 58); a step of receiving purchase information

indicative of a purchase will of the user via the network (paragraphs 69 and 71; Figure

10); and a step of transmitting information advising an advance order for the commodity

to the terminal of the user via the network in response to received purchase information

when a quantity of stock of the commodity is below a given quantity (paragraphs 72

and 77). Krichilsky does not expressly disclose a step of calculating a quantity of stock

of the commodity in response to received purchase information, but Lyons teaches this

(paragraph 4). Hence, it would have been obvious to one of ordinary skill in the art of

electronic commerce at the time of applicant's invention to calculate a quantity of stock

of the commodity in response to received purchase information, for the stated

advantage of enabling a web site or other sales channel to be updated.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Krichilsky and Lyons as applied to claim 20 above, and further in view of Gupta et al.

(U.S. Patent Application Publication 2003/0074349). Krichilsky does not disclose that

information indicating an expected available date of the commodity is transmitted to the

terminal of the user, but Gupta teaches this (Abstract; paragraphs 23 and 33). Hence, it

would have been obvious to one of ordinary skill in the art of electronic commerce at the

time of applicant's invention to have information indicating an expected available date of

the commodity be transmitted to the terminal of the user, for the stated advantage of

avoiding the loss of business efficiency, profits, and ultimate demise (paragraph 2 of

Gupta), and the obvious advantage of profiting from selling currently out-of-stock

commodities that will be available within a reasonable period of time.

Response to Arguments

Applicant's arguments filed February 23, 2005, have been fully considered but

they are not persuasive. Applicant argues with respect to claims 1 and 20, that

Krichilsky is not related to stock management, and does not disclose monitoring the

quantity of stock. Examiner replies that Krichilsky is very much concerned with

providing an electronic shop using a network (to quote the preamble of claim 1), and in

order to accomplish this, determines whether selected products are available, which

inherently implies some monitoring of the quantity of stock (although possibly not

beyond the level of monitoring whether the quantity is zero or nonzero). Applicant

further argues that neither Krichilsky nor Lyons discloses a step of transmitting

information about an out-of-stock status of the commodity in response to received

purchase information when the quantity of stock of the commodity is below a given

quantity. Examiner replies that Krichilsky does disclose this (see paragraphs 72 and

78), at least interpreting "received purchase information" as information that a customer

wishes to purchase something, and the "given quantity" as one item, or possibly enough

items to fulfill an order. Applicant argues that Krichilsky does not disclose any

calculation of the quantity of the stock; Examiner replies that this is true, at least if one

does not regard determining whether the quantity is or is not zero as a calculation, but

Lyons teaches such a calculation.

Regarding claim 3, Applicant argues that the prior art relied upon does not

disclose transmitting information indicating that the quantity of stock of a commodity

becomes below the given quantity to the terminal of a manager of merchandise via the

network only when it is detected that the quantity of stock becomes below the first given

quantity for the first time since a given time. Examiner agrees that the prior art of record

does not disclose this (with emphasis on the only), but took official notice, in response

to Applicant's amendment, that it is well known to transmit information, sound an alarm,

or something similar only when a condition is detected for the first time since a given

time, or a reset.

Regarding claim 7, Applicant argues that Charlish and Matsumoto do not

disclose or suggest the combination of features recited, since Charlish does not

disclose when the reports are obtained, and Matsumoto does not disclose that the

update data is obtained through a network. In response to Applicant's arguments

against the references individually, one cannot show nonobviousness by attacking

references individually where the rejections are based on combinations of references.

See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800

F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Charlish discloses a network, by disclosing

entering data and obtaining reports from personal computers, based on data from point-

of-sale terminals connected to files. Matsumoto discloses calculating a quantity of stock

of a commodity based upon received data concerning the fluctuation of the quantity of

the stock, and, as set forth above in the rejection of claim 7, there is motivation to make

the combination, for the advantage of informing managers of the quantity of stock on

hand, and enabling them to take appropriate actions, which is suggested if not

expressly set forth in the references applied.

Claim 13 is similar to claims 1 and 20. Applicant argues for its allowability by

criticizing the Krichilsky reference, as Applicant did in arguing for the patentability of

claims 1 and 20. Examiner reiterates his response, and maintains the rejection of claim

13, much as he maintains the rejections of claims 1 and 20.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Stone et al. (U.S. Patent 6,446,045) disclose a method for using

computers to facilitate and control the creating of a plurality of functions. McCaslin

(U.S. Patent 6,868,397) discloses an equipment information system and method. Lucas

(U.S. Patent Application Publication 2004/0230503) discloses an inventory control

system and methods. Allen et al. (U.S. Patent Application Publication 2004/0260722)

disclose a web address converter for dynamic web pages (see paragraph 140 for

tracking inventory and ordering "in-stock" items in real time).

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen whose telephone number is 571-272-6762. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Non-official/draft communications can be faxed to the examiner at 703-746-5574.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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